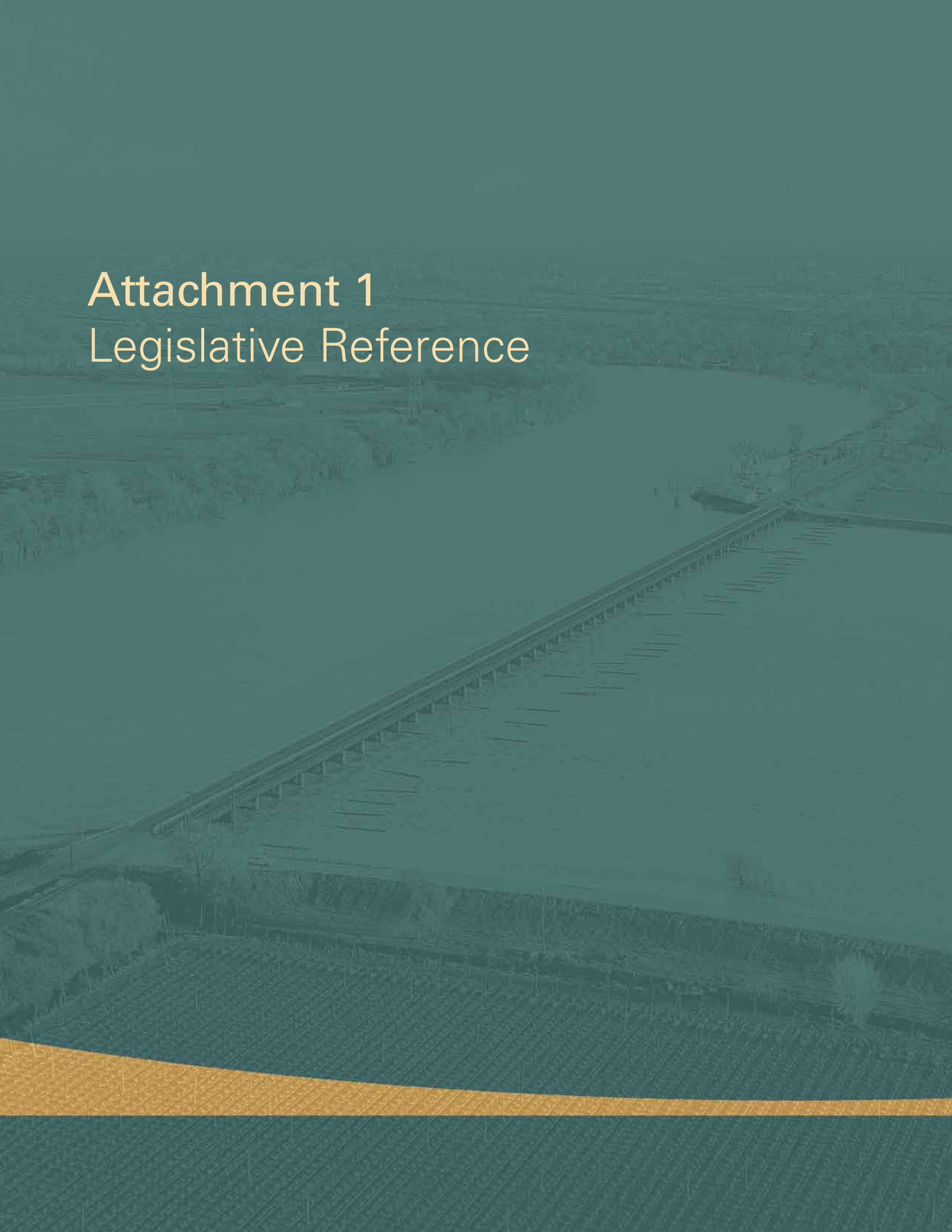


# Attachment 1

## Legislative Reference



# CENTRAL VALLEY FLOOD MANAGEMENT PLANNING PROGRAM

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## Public Draft

2012 Central Valley Flood Protection Plan

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## Attachment 1: Legislative Reference

December 2011

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# Legislative Reference

The California Department of Water Resources (DWR) prepared the Central Valley Flood Protection Plan (CVFPP) pursuant to authorizing legislation as presented in Senate Bill 5, and subsequently described in the California Water Code.

Part 6 of Senate Bill 5 was divided into three Chapters:

- **Chapter 1. General Provisions** – This chapter covers California Water Code Sections 9600 through 9603.
- **Chapter 2. Plan Development** – This chapter covers California Water Code Sections 9610 through 9616.
- **Chapter 3. Plan Implementation** – This chapter covers California Water Code Sections 9620 through 9625.

During development of the CVFPP, DWR prepared several supporting documents and evaluations that collectively meet the provisions of the above mentioned sections of the California Water Code.

The following matrix presents the text of each water code section along with a summary of how DWR is responding to the legislative provisions as part of CVFPP development.

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California Water Code Section	DWR Application of Water Code Section
<p><b>9600.</b> This act shall be known and may be cited as the Central Valley Flood Protection Act of 2008.</p>	<p>The CVFPP was prepared for submission to the Central Valley Flood Protection Board (Board) pursuant to the California Central Valley Flood Protection Act of 2008</p>
<p><b>9601.</b> The Legislature finds and declares all of the following:</p> <p>(a) The Central Valley of California is experiencing unprecedented development, resulting in the conversion of historically agricultural lands and communities to densely populated residential and urban centers.</p> <p>(b) The Legislature recognizes that by their nature, levees, which are earthen embankments typically founded on fluvial deposits, cannot offer complete protection from flooding, but can decrease its frequency.</p> <p>(c) The Legislature recognizes that the level of flood protection afforded rural and agricultural lands by the original flood control system would not be adequate to protect those lands if they are developed for urban uses, and that a dichotomous system of flood protection for urban and rural lands has developed through many years of practice.</p> <p>(d) The Legislature further recognizes that levees built to reclaim and protect agricultural land may be inadequate to protect urban development unless those levees are significantly improved.</p> <p>(e) Cities and counties rely upon federal flood plain information when approving developments, but the information available is often out of date and the flood risk may be greater than that indicated using available federal information.</p> <p>(f) The Legislature recognizes that the current federal flood standard is not sufficient in protecting urban and urbanizing areas within flood prone areas throughout the Central Valley.</p> <p>(g) Linking land use decisions to flood risk and flood protection estimates comprises only one element of improving lives and property in the Central Valley. Federal, state, and local agencies may construct and operate flood protection facilities to reduce flood risks, but flood risks will nevertheless remain for those who choose to reside in Central Valley flood plains. Making those flood risks more apparent will help ensure that Californians make careful choices when deciding whether to build homes or live in Central Valley flood plains, and if so, whether to prepare for flooding or maintain flood insurance.</p>	<p>The essence of these Legislative findings is provided as background within Chapter 1 of the CVFPP. These Legislative findings influenced the selection of the physical elements of the CVFPP (Chapter 3). The findings also influenced the programs and policies for implementing and managing the CVFPP into the future (Chapter 4).</p> <p>During preparation of the CVFPP, DWR worked with stakeholders to define existing regional conditions and likely future challenges; identify problems and opportunities from various perspectives; and define goals, principles, and objectives to guide development and implementation of the CVFPP. The Legislative findings aided in preparing this regional work.</p>
<p><b>9602.</b> Unless the context requires otherwise, the definitions set forth in this section govern the construction of this part.</p> <p>(a) "Board" means the Central Valley Flood Protection Board.</p> <p>(b) "Plan" means the Central Valley Flood Protection Plan.</p> <p>(c) "Project levee" means a levee that is part of the facilities of the State Plan of Flood Control.</p> <p>(d) "Public safety infrastructure" means public safety infrastructure necessary to respond to a flood emergency, including, but not limited to, street and highway evacuation routes, public utilities necessary for public health and safety, including drinking water and wastewater treatment facilities, and hospitals.</p> <p>(e) "Sacramento-San Joaquin Valley" means lands in the bed or along or near the banks of the Sacramento River or San Joaquin River, or their tributaries or connected therewith, or upon any land adjacent thereto, or within the overflow basins thereof, or upon land susceptible to overflow therefrom. The Sacramento-San Joaquin Valley does not include lands lying within the Tulare Lake basin, including the Kings River.</p> <p>(f) "State Plan of Flood Control" has the meaning set forth in</p>	<p>All definitions specified in this section of CWC are adhered to throughout the 2012 Central Valley Flood Protection Plan, 2012 CVFPP Supporting Technical Analyses and Documentation, and 2012 CVFPP Companion Documents.</p> <p>To avoid confusion with other plans, the acronym "CVFPP" is used throughout the Central Valley Flood Protection Plan in the place of "Plan."</p>

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<p>subdivision (j) of Section 5096.805 of the Public Resources Code.</p> <p><b>(g)</b> "System" means the Sacramento-San Joaquin River Flood Management System described in Section 9611.</p> <p><b>(h)</b> "Urban area" has the same meaning as that set forth in subdivision (k) of Section 5096.805 of the Public Resources Code.</p> <p><b>(i)</b> "Urban level of flood protection" means the level of protection that is necessary to withstand flooding that has a 1-in-200 chance of occurring in any given year using criteria consistent with, or developed by, the department.</p>	
<p><b>9603. (a)</b> The Central Valley Flood Protection Plan shall be a descriptive document, and neither the plan nor anything in this part shall be construed to expand the liability of the state for the operation or maintenance of any flood management facility beyond the scope of the State Plan of Flood Control, except as specifically determined by the board pursuant to Section 9611. Neither the development nor the adoption of the Central Valley Flood Protection Plan shall be construed to constitute any commitment by the state to provide, to continue to provide, or to maintain at, or to increase flood protection to, any particular level.</p> <p><b>(b)</b> The Central Valley Flood Protection Plan reflects a systemwide approach to protecting the lands currently protected from flooding by existing facilities of the State Plan of Flood Control. Any flood protection benefits accruing to lands or communities outside the State Plan of Flood Control are incidental and shall not constitute any commitment by the state to provide, to continue to provide, or to maintain at, or to increase flood protection to, any particular level.</p>	<p>Given that the CVFPP is a broad plan that requires additional feasibility studies to further develop specific physical improvements to the SPFC. Therefore, the CVFPP makes no commitments to any system modifications, but just presents a plan that needs approval and adoption by the Central Valley Flood Protection Board (Board) and confirmation by feasibility studies.</p> <p>The CVFPP focuses on improvements to existing State Plan of Flood Control (SPFC) facilities and specifically excludes improvements to non-SPFC facilities. However, the Board may choose to expand the scope pursuant to Section 9611.</p>
<p><b>9610. (a) (1)</b> By July 1, 2008, the department shall develop preliminary maps for the 100- and 200-year flood plains protected by project levees. The 100-year flood plain maps shall be prepared using criteria developed or accepted by the Federal Emergency Management Agency (FEMA).</p> <p><b>(2)</b> The department shall use available information from the 2002 Sacramento-San Joaquin River Basin Comprehensive Study, preliminary and regulatory FEMA flood insurance rate maps, recent flood plain studies, and other sources to compile preliminary maps.</p>	<p>DWR has published a series of best available maps to the public in 2008. These maps are available on DWR website.</p>
<p><b>(3)</b> The department shall provide the preliminary maps to cities and counties within the Sacramento-San Joaquin Valley for use as best available information relating to flood protection.</p> <p><b>(4)</b> The department shall post this information on the board's Internet Web site and may periodically update the maps as necessary.</p>	<p>DWR has published the awareness floodplain maps and is available on DWR website.</p>
<p><b>(b)</b> By July 1, 2008, the department shall give notice to cities in the Sacramento-San Joaquin Valley outside areas protected by project levees regarding maps and other information as to flood risks available from the Federal Emergency Management Agency or another federal, state, or local agency.</p>	<p>In August 2008, DWR provided preliminary maps (as map books in CD's) to 91 cities and 32 counties within the Sacramento-San Joaquin Valley for use as best available information relating to flood protection. DWR's Floodplain Risk Management Branch extended the best available mapping project -- and developed "statewide" preliminary best available maps for 100-, 200-, and 500-year floodplains. These maps can be accessed by public via a GIS based web viewer (developed by the branch) at <a href="http://gis.bam.water.ca.gov/bam">http://gis.bam.water.ca.gov/bam</a></p> <p>In addition, DWR established the Flood</p>

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	Risk Notification Program to increase flood risk awareness by effectively communicating that risk to individual property owners, the public, and local, state, and federal agencies.
<p><b>(c)</b> On or before December 31, 2010, the department shall prepare a status report on the progress and development of the Central Valley Flood Protection Plan pursuant to Section 9612. The department shall post this information on the board's Internet Web site, and make it available to the public.</p>	<p>DWR submitted a CVFPP Progress Report to the Board in January 2011. This report was posted on the Board's website.</p>
<p><b>9611.</b> The Sacramento-San Joaquin River Flood Management System comprises all of the following:</p> <p><b>(a)</b> The facilities of the State Plan of Flood Control as that plan may be amended pursuant to this part.</p> <p><b>(b)</b> Any existing dam, levee, or other flood management facility that is not part of the State Plan of Flood Control if the board determines, upon recommendation of the department, that the facility does one or more of the following:</p> <p><b>(1)</b> Provides significant systemwide benefits for managing flood risks within the Sacramento-San Joaquin Valley.</p> <p><b>(2)</b> Protects urban areas within the Sacramento-San Joaquin Valley.</p>	<p>A detailed description of existing flood management facilities is included in the State Plan of Flood Control Descriptive Document, prepared as a companion document to the 2012 CVFPP.</p> <p>The hydrologic and hydraulic modeling conducted for the CVFPP includes SPFC and non-SPFC facilities. Reservoirs are a prime example of non-SPFC facilities that provide systemwide benefits. Throughout the CVFPP development, the term is used consistently.</p>
<p><b>(c)</b> Upon completion of the Central Valley Flood Protection Plan pursuant to this part, the department may identify and propose to the board additional structural and nonstructural facilities that may become facilities of the State Plan of Flood Control, consistent with the Central Valley Flood Protection Plan. The board may add those facilities to the State Plan of Flood Control based on a determination showing how the facility accomplishes the purposes identified in subdivision (b).</p> <p><b>(d)</b> For the purposes of subdivision (c), facilities that may become facilities of the State Plan of Flood Control include bypasses, floodway corridors, flood plain storage, or other projects that expand the capacity of the flood protection system in the Sacramento-San Joaquin Valley to provide flood protection.</p>	<p>During development of the CVFPP, DWR considered both structural and nonstructural elements that may become part of the SPFC and included those in the CVFPP. Selected elements include two new bypasses, new levees needed to expand bypasses, new ring levees to surround some small communities, nonstructural floodproofing for some small communities, and changes in reservoir operations. Decisions by the Board to add these to the SPFC or potential other features would likely occur after future feasibility studies demonstrate viability of these elements and after they are constructed.</p> <p>No specific floodplain storage was included in the plan other than that which results from expansion of the floodways. However, DWR recognized that the Board may choose to add floodplain (transitory) storage in areas where there are willing sellers.</p> <p>DWR also considered improvements to existing non-SPFC levees. While DWR did not include potential improvements to non-SPFC levees in the CVFPP, it did acknowledge that it may choose to participate in funding improvements to these facilities under other State programs if improvements are found to be feasible. In addition, the Board may choose to add some of the non-SPFC levees, especially a few miles of non-</p>

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	SPFC urban levee in the Stockton area, to the SPFC.
<p><b>9612. (a)</b> The department shall prepare, and the board shall adopt, a plan identified as the Central Valley Flood Protection Plan in accordance with this part.</p> <p><b>(b)</b> No later than January 1, 2012, the department shall prepare the Central Valley Flood Protection Plan in accordance with this part, and shall transmit the plan to the board, which shall adopt the plan no later than July 1, 2012.</p>	<p>DWR's CVFPP will be available to the Board no later than January 1, 2012.</p> <p>The project schedule then calls for the Board to then review, revise, and adopt the plan by July 1, 2012. The Board's adoption of the CVFPP is subject to the date of compliance with the California Environmental Quality Act (CEQA) guidelines. If substantial public comments are received which would require the CVFPP to be amended, additional public notices to comply with the CEQA would likely delay the Board's ability to meet the July 1, 2012 date for adoption.</p>
<p><b>(c)</b> The board shall hold at least two hearings to receive comments on the proposed plan. At least one hearing shall be held in the Sacramento Valley and at least one hearing shall be held in the San Joaquin Valley. The board shall also accept comments in writing with regard to the proposed plan.</p> <p><b>(d)</b> The board may make changes to the proposed plan to resolve issues raised in the hearings or to respond to comments received by the board. The board shall publish its proposed changes to the proposed plan at least two weeks before adopting the plan.</p>	<p>The Board recognizes its responsibilities for review, revise, and adopt the CVFPP.</p>
<p><b>(e)</b> The plan shall be updated in subsequent years ending in 2 and 7.</p>	<p>As shown in Chapter 4 of the CVFPP, DWR is planning for the 2017 update of the CVFPP and subsequent 5-year updates.</p>
<p><b>(f)</b> The department or the board may appoint one or more advisory committees to assist in the preparation of the plan. If the department or the board appoints one or more advisory committees, the advisory committee or committees shall include representation by interested organizations.</p>	<p>During preparation of the CVFPP, DWR established and worked with regional groups to assist in identifying goals, constraints, and potential improvements, however, they are not for advisory purposes.</p> <p>During its review leading to adoption of the CVFPP, the Board may decide to appoint one or more advisory committees to assist in revisions to the plan.</p>
<p><b>9613. (a)</b> Consistent with subdivision (b) of Section 5096.821 of the Public Resources Code, the department may implement flood protection improvements for urban areas protected by facilities of the State Plan of Flood Control before the adoption of Central Valley Flood Protection Plan if the director determines, in writing, that all of the following apply:</p> <p><b>(1)</b> The improvements are necessary and require state funding before the completion of the Central Valley Flood Protection Plan prepared pursuant to Section 9612.</p> <p><b>(2)</b> The improvements will reduce or avoid risk to human life in one or more urban areas.</p> <p><b>(3)</b> The improvements will not impair or impede future changes to regional flood protection or the Central Valley Flood Protection Plan.</p> <p><b>(4)</b> The improvements will be maintained by a local agency that has committed sufficient funding to maintain both the existing and improved</p>	<p>Between 2007 and 2012, DWR invested approximately \$1.6 billion of the bond funds approved in 2006 (along with about \$490 million in local and \$780 million in federal investments) in projects and actions that have reduced flood risk in the Central Valley. Most of these physical improvements to urban area levees have been made through DWR's Early Implementation Projects program. An additional, up to \$1.7 billion of bond funding is planned to be available during the next five years for the CVFPP projects.</p>

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<p>facilities of the State Plan of Flood Control.</p> <p>(5) The affected cities, counties, and other public agencies will have sufficient revenue resources for the operation and maintenance of the facility.</p> <p>(6) Upon the allocation of funds for a project, the proposed project is ready for implementation.</p> <p>(7) The improvements comply with existing law.</p>	
<p>(b) The flood protection improvements authorized by this section may include improvements to specific facilities of the State Plan of Flood Control or acquisition of flood easements for floodways that support facilities of the State Plan of Flood Control to increase levels of flood protection for urban areas in accordance with subdivision (b) of Section 5096.821 of the Public Resources Code.</p>	<p>The CVFPP includes both improvements to specific improvements and the acquisition of easements to support the SPFC (Chapters 3 and 4 of CVFPP).</p>
<p>(c) The department and the board shall investigate and evaluate the feasibility of potential bypasses or floodways that would significantly reduce flood stage in the San Joaquin River Watershed, upstream and south of Paradise Cut.</p>	<p>The CVFPP includes evaluation of a new bypass in the Lower San Joaquin River basin, specifically along Paradise Cut. Based on its ability to lower flood stage in the Stockton area, the new bypass was selected as part of the CVFPP.</p>
<p><b>9614.</b> The plan shall include all of the following:</p> <p>(a) A description of the Sacramento-San Joaquin River Flood Management System and the cities and counties included in the system.</p>	<p>The State Plan of Flood Control Descriptive Document (DWR, 2010), a companion document to the CVFPP, includes descriptions of the SPFC and the broader Sacramento-San Joaquin River Flood Management System.</p>
<p>(b) A description of the performance of the system and the challenges to modifying the system to provide appropriate levels of flood protection using available information.</p>	<p>The Flood Control System Status Report (FCSSR)(DWR, 2011), a companion document to the CVFPP, directly describes the performance and challenges to modifying the system.</p>
<p>(c) A description of the facilities included in the State Plan of Flood Control, including all of the following:</p> <p>(1) The precise location and a brief description of each facility, a description of the population and property protected by the facility, the system benefits provided by the facility, if any, and a brief history of the facility, including the year of construction, major improvements to the facility, and any failures of the facility.</p> <p>(2) The design capacity of each facility.</p> <p>(3) A description and evaluation of the performance of each facility, including the following:</p> <p>(A) An evaluation of failure risks due to each of the following:</p> <p>(i) Overtopping.</p> <p>(ii) Under seepage and seepage.</p> <p>(iii) Structural failure.</p> <p>(iv) Other sources of risk, including seismic risks that the department or the board determines are applicable.</p> <p>(B) A description of any uncertainties regarding performance capability, including uncertainties arising from the need for additional engineering evaluations or uncertainties arising from changed conditions such as changes in estimated channel capacities.</p>	<p>The State Plan of Flood Control Descriptive Document provides the descriptions of the existing SPFC and the broader system.</p> <p>The FCSSR describes the performance of each facility. Many of the evaluations for the Flood Control System Status Report were conducted by DWR's Urban Levee Evaluations (ULE) program and the Nonurban Levee Evaluations Program (NULE). Levees requiring additional evaluation because of lack of data or other uncertainties are identified by these evaluations and in the FCSSR.</p>
<p>(d) A description of each existing dam that is not part of the State Plan of Flood Control that provides either significant systemwide benefits for managing flood risks within the Sacramento-San Joaquin Valley or</p>	<p>The State Plan of Flood Control Descriptive Document includes a description of each existing dam that is</p>

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protects urban areas within the Sacramento-San Joaquin Valley.	not part of the SPFC but provides significant systemwide benefits.
<b>(e)</b> A description of each existing levee and other flood management facility not described in subdivision (d) that is not part of the State Plan of Flood Control and that provides either significant systemwide benefits for managing flood risks within the Sacramento-San Joaquin Valley or protects an urban area.	The FCSSR and the ULE/NULE evaluations describe non-SPFC facilities that may provide systemwide benefits or protect urban areas.
<b>(f)</b> A description of the probable impacts of projected climate change, projected land use patterns, and other potential flood management challenges on the ability of the system to provide adequate levels of flood protection.	Chapter 1 of the CVFPP and its attached Conservation Framework provide general descriptions of potential impacts of climate change.  In addition, DWR is continuing work on climate change analyses that are more applicable to extreme events such as flooding than those typically used for climate change evaluations. The new approach is expected to provide improved information on impacts on flood management and to communities receiving protection and in identifying prudent system improvements that are resilient to climate change conditions. DWR intends to continue the methodology development and application for the 2017 CVFPP Update.
<b>(g)</b> An evaluation of the structural improvements and repairs necessary to bring each of the facilities of the State Plan of Flood Control to within its design standard. The evaluation shall include a prioritized list of recommended actions necessary to bring each facility not identified in subdivision (h) to within its design standard.	DWR evaluated the structural improvement necessary to achieve the SPFC design capacity. Based on these evaluations (see Achieve SPFC Design Capacity Approach in Chapter 2 of CVFPP), the structural repairs are very expensive, generally raise flood stages throughout the system, and do not adequately meet the CVFPP goals. Since this was not the recommended approach, a prioritized list of recommended actions was not prepared. However, DWR used information from this evaluation in its selection of the preferred State Systemwide Investment Approach.
<b>(h)</b> The evaluation shall include a list of facilities recommended to be removed from the State Plan of Flood Control. For each facility recommended for removal, the evaluation shall identify both of the following: <b>(1)</b> The reasons for proposing the removal of the facility from the State Plan of Flood Control. <b>(2)</b> Any additional recommended actions associated with removing the facility from the State Plan of Flood Control.	Chapter 3 of the CVFPP presents a list of facilities that should be considered for removal from the SPFC. Since these are part of a federal project, removal will need to be justified by a feasibility study and Congressional action. Chapter 4 of the CVFPP includes a summary of criteria to be used for the removal process.
<b>(i)</b> A description of both structural and nonstructural methods for providing an urban level of flood protection to current urban areas. The description shall also include a list of recommended next steps to improve urban flood protection.	Chapter 3 of the CVFPP includes structural improvements for urban area protection. Chapter 4 includes enhanced programs for floodplain management (nonstructural). Chapter 4 also includes a list of near-term actions to progress flood

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	<p>risk reduction, including those in urban areas, between the 2012 adoption of the CVFPP and its 2017 update.</p> <p>The Criteria for Demonstrating Urban Level of Flood Protection and Urban Levee Design Criteria documents incorporated by reference in the 2012 CVFPP.</p>
<p>(j) A description of structural and nonstructural means for enabling or improving systemwide riverine ecosystem function, including, but not limited to, establishment of riparian habitat and seasonal inundation of available flood plains where feasible.</p>	<p>Chapter 3 of the CVFPP includes a description of structural and nonstructural elements for improving systemwide ecosystem function. These are described for incorporating ecosystem restoration and enhancement along with urban, small community, rural-agricultural, and system flood risk reduction improvements. These are further described in the Conservation Framework attached to the CVFPP. The Conservation Framework will be replaced by a more detailed Conservation Strategy at the time of the 2017 update of the CVFPP.</p>
<p><b>9615.</b> For the purposes of preparing the plan, the department shall collaborate with the United States Army Corps of Engineers and the owners and operators of flood management facilities.</p>	<p>DWR collaborated with the USACE and owners and operators of flood management facilities throughout preparation of the CVFPP. The USACE participated in regional workgroups. Project records include an Engagement Record. The USACE continues to support ongoing actions on the CVFPP through the Central Valley Integrated Flood Management Study.</p>
<p><b>9616. (a)</b> The plan shall include a description of both structural and nonstructural means for improving the performance and elimination of deficiencies of levees, weirs, bypasses, and facilities, including facilities of the State Plan of Flood Control, and, wherever feasible, meet multiple objectives, including each of the following:</p> <ul style="list-style-type: none"> <li>(1) Reduce the risk to human life, health, and safety from flooding, including protection of public safety infrastructure.</li> <li>(2) Expand the capacity of the flood protection system in the Sacramento-San Joaquin Valley to either reduce floodflows or convey floodwaters away from urban areas.</li> <li>(3) Link the flood protection system with the water supply system.</li> <li>(4) Reduce flood risks in currently nonurbanized areas.</li> <li>(5) Increase the engagement of local agencies willing to participate in improving flood protection, ensuring a better connection between state flood protection decisions and local land use decisions.</li> <li>(6) Improve flood protection for urban areas to the urban level of flood protection.</li> <li>(7) Promote natural dynamic hydrologic and geomorphic processes.</li> <li>(8) Reduce damage from flooding.</li> <li>(9) Increase and improve the quantity, diversity, and connectivity of riparian, wetland, flood plain, and shaded riverine aquatic habitats,</li> </ul>	<p>The 2012 CVFPP document in its entirety addresses the multiple objectives in CWC 9616.</p> <p>In addition, DWR and stakeholders used these Legislative objectives to form the CVFPP goals described in Chapter 1 of the CVFPP. This resulted in the primary goal of flood risk reduction and four supporting goals that were used to measure performance of the three preliminary approaches and the selected State Systemwide Investment Approach.</p>

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<p>including the agricultural and ecological values of these lands.</p> <p><b>(10)</b> Minimize the flood management system operation and maintenance requirements.</p> <p><b>(11)</b> Promote the recovery and stability of native species populations and overall biotic community diversity.</p> <p><b>(12)</b> Identify opportunities and incentives for expanding or increasing use of floodway corridors.</p> <p><b>(13)</b> Provide a feasible, comprehensive, and long-term financing plan for implementing the plan.</p> <p><b>(14)</b> Identify opportunities for reservoir reoperation in conjunction with groundwater flood storage.</p>	
<p><b>(b)</b> The plan shall include a prioritized list of recommended actions to reduce flood risks and meet the objectives described in subdivision (a).</p>	<p>Chapter 4 of the CVFPP includes a list of Near-Term Priority Actions.</p>
<p><b>9620.</b> Upon the adoption of the plan by the board, all of the following apply:</p> <p><b>(a)</b> The facilities identified pursuant to subdivision (a) of Section 9614 shall be deemed to be part of the system.</p> <p><b>(b)</b> The board shall act on the recommendations to remove facilities identified pursuant to subdivision (h) of Section 9614 from the State Plan of Flood Control.</p>	<p>Pending actions to be accomplished by the Board.</p>
<p><b>(c)</b> The department shall develop a recommended schedule and funding plan to implement the recommendations of the plan. To develop the recommended schedule and funding plan, the department may collaborate with local and federal agencies.</p>	<p>DWR plans to complete a Financing Plan for the CVFPP in 2013.</p>
<p><b>9621.</b> Consistent with the adoption of the Central Valley Flood Protection Plan pursuant to this part, each county shall collaborate with cities within its jurisdiction to develop flood emergency plans within 24 months of the adoption of the plan.</p>	<p>No action from DWR or other State agencies. Pending actions by cities and counties.</p>
<p><b>9622.</b> Consistent with the adoption of the Central Valley Flood Protection Plan pursuant to this part, each city, county, and city and county shall collaborate with the state and local flood management agencies to provide relocation assistance or other cost-effective strategies for reducing flood risk to existing economically disadvantaged communities located in nonurbanized areas.</p>	<p>No action from DWR or other State agencies. Pending actions by cities and counties. Actions by City and County agencies</p>
<p><b>9623.</b> Consistent with the adoption of the Central Valley Flood Protection Plan pursuant to this part, each city, county, and city and county shall collaborate with the state and local flood management agencies to develop funding mechanisms to finance local flood protection responsibilities by January 1, 2010.</p>	<p>No action from DWR or other State agencies. Pending actions by cities and counties.</p>
<p><b>9624.</b> Notwithstanding any other provision of law, this part applies to all cities, including charter cities, and counties included in the plan pursuant to Section 9614. The Legislature finds and declares that flood protection in the Sacramento-San Joaquin Valley is a matter of statewide concern and not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution.</p>	<p>The State's interest in flood management is recognized in the 2012 CVFPP and in the 2012 technical analyses.</p>
<p><b>9625. (a)</b> By January 1, 2010, the department shall develop cost-sharing formulas, as needed, for funds made available by the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Chapter 1.699 (commencing with Section 5096.800) of Division 5 of the Public Resources Code) and the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources</p>	<p>DWR has prepared a draft Guidelines for Establishing Local Agency Cost-Sharing Formulas in 2008 and a final version in 2010.</p>

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<p>Code) for repairs or improvements of facilities included in the plan to determine the local share of the cost of design and construction.</p> <p><b>(b)</b> The cost-sharing formulas developed by the department shall be established pursuant to Section 12585.7.</p> <p><b>(c)</b> In developing a cost-sharing formula, the department shall consider the ability of local governments to pay their share of the capital costs of the project.</p> <p><b>(d)</b> Prior to finalizing cost-sharing formulas, the department shall conduct public meetings to consider public comments. The department shall post a draft cost-sharing formula on its Internet Web site at least 30 days before the public meetings. To the extent feasible, the department shall provide outreach to disadvantaged communities to promote access and participation in the meetings.</p>	



